



MEMORANDUM

DATE: February 10, 2013

TO: Mayor Delgado and City Council Members
City Employees and Members of the Public

FROM: Steve Duran, City Manager

SUBJECT: City Manager's Weekly Report

MEETING SCHEDULE

Date and Time	Event	Location
February 12, 2013 – 7:00 p.m.	City Council Meeting	Hercules City Hall – City Council Chamber
February 26, 2013 – 7:00 p.m.	City Council Meeting	Hercules City Hall – City Council Chamber
March 2, 2013 – 10:00 a.m. to noon	Sycamore Crossing Safeway Community Outreach Meeting	Hercules Senior Center
March 7, 2013 – 6:30 p.m. – 8:30 p.m.	Sycamore Crossing Safeway Community Outreach Meeting	Hercules Senior Center

SCHOOL BOARD APPROVES FUNDING FOR ADDITIONAL SRO

The West Contra Costa Unified School District approved funding for an second School Resource Officer (SRO) for Hercules Middle/High School. Mayor Delgado, Councilmembers Romero and Kelly, and Chief Goswick attended the School Board Meeting on February 6, in which the Board voted unanimously to fund two have 2 SROs beginning February 25, 2013 and the Hercules Police Department will have the second officer on campus on that day.

SINGLE-USE BAG ORDINANCE DRAFT EIR

RecycleMore released a Draft Environmental Impact Report (EIR) for a Single-Use Bag Ordinance for 45-day comment period. Public Review Period commenced on January 18, 2013, and will end on March 4, 2013 for interested individuals and public agencies to submit written comments on the document.

The proposed ordinance (which covers the Cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo and the proximate areas of unincorporated Contra Costa County) would prohibit the

free distribution of single-use carryout paper and plastic bags at the point of sale (i.e., check-out) for all retail establishments except restaurants and nonprofit charitable reuse organizations. The ordinance as proposed would apply to all other businesses that put purchases into single-use carryout bags, either paper or plastic, at the point of sale except at stores operated by nonprofit charitable reuse organizations. Single-use plastic bags provided free to customers at the check-out stand for the purpose of holding the customer's purchases would be prohibited by the ordinance. Plastic carryout bags would be allowed by the ordinance if the bags are intended to be and are identified as reusable. An exception to the ban on single-use bags would be made for paper bags containing at least 40 percent recycled content, as long as the retail establishment charges at least five cents for each bag.

Copies of the Draft EIR are available for review at the RecycleMore offices, the Contra Costa County Planning Department, and at the planning departments of the following cities: El Cerrito, Hercules, Pinole, Richmond, and San Pablo.

REVENUE ENHANCEMENT DISCUSSION AND DIRECTION

Staff brought forth a list on revenue enhancement measures that were compiled from previous public discussions, as well as staff recommendations, for City Council consideration and direction to staff on January 29. The most significant and immediate next steps are for staff to bring back a resolution of a fiscal emergency for Council consideration on February 12, 2013, to begin drafting a ballot measure for a 2% increase in the Utility User Tax (UUT) and to bring back a contract with Lew Edwards & Associates to assist with the ballot measure to be placed on a ballot for voter consideration. Staff is recommending that we go for a June 4, 2013 election so that we will know what our 2013-2014 funding will be before approval of the budget in late June.

The reason for the fiscal emergency is a projected structural deficit in the City's general fund for FY2013-14 of \$1 million to \$1.2 million. This is not new news. About \$1.2 million of one-time money was used to balance the FY2012-13 budget, and while additional sales tax revenues of about \$250,000 is projected for FY2013-2014 and some costs can be reduced, projected increases in retirement and health care benefit costs will offset those impacts. Since there is only about \$600,000 of unbudgeted general fund cash remaining and any unexpected expenses will further reduce that sum, one time monies will not be available to balance next year's budget and avoid severe cost cutting measures. With retail development and residential development in the cue, it will still be two years before a new Safeway and other stores and restaurants can provide additional sales tax and all new development can provide additional UUT.

POTENTIAL GARBAGE RATE INCREASE

Over the past few months, staff has been working with a consultant to review Richmond Sanitary Services' (RSS) application for a rate increase. A public hearing was conducted on January 22 and staff will be bringing forward a recommendation to City Council for contract terms on February 12.

REAL PROPERTY PROJECT UPDATES

Sala Restaurant Site: Sala Restaurant has closed. The City has possession and is finalizing a termination agreement with the tenant. The restaurant was losing money and unable to meet its financial obligations. Staff has received inquiries from a number of chefs interested in leasing the building and will be placing this topic on a City Council agenda on February 12 for discussion and direction.

Victoria Crescent: The City Council, acting as the Successor Agency to the Hercules Redevelopment Successor Agency Board, and the Redevelopment Oversight Board have approved an Amendment to the Purchase and Sale Agreement with City Ventures, which has extended the Feasibility period to March 31, 2013. No other dates or terms are affected. City Ventures, the Victoria Crescent buyer/developer, held a community meeting at the Ohlone Community Center on Thursday, February 7th from 6-8 pm to provide information and receive community input. A second community meeting will be scheduled soon.

Sycamore Crossing: A Purchase and Sale Agreement (PSA) was entered into with Property Development Centers (PDC) in January. PDC is a wholly owned subsidiary of Safeway and plans to build a 55,000 to 65,000 Safeway store and gas station near San Pablo Avenue, with another junior anchor, restaurant and shop space to compliment the supermarket.

Negotiations for removal of the deed restriction on a portion of the site are still in progress; but at this point Safeway, PDC and the City are focusing on a podium design for the store on the non-deed restricted portion of the site and PDC is marketing future retail and restaurant space as well as discussing residential options for the Sycamore Avenue frontage, which could be retail or residential depending on site constraints and leasing efforts.

Two community meetings have been scheduled to provide a status on the site planning and get input on same. PDC has arranged for these meetings at Hercules Senior Center on Saturday morning, March 2 at 10:00 am and Thursday evening, March 7 at 6:30 pm.

Parcel C: An Amendment to the Purchase and Sale Agreement (PSA) was approved by the City Council on December 4th to extend the Feasibility Period under the PSA to February 1, 2013 in order to provide time to craft a second, more substantive amendment to deal with bureaucratic delays caused by AB 1484. However, the City and the buyer/developer were not able to come to mutually acceptable terms due to delays created by AB1484 and the need to restructure debt encumbering the property. Therefore, staff is working on restructuring the existing debt and has commenced discussions with a number of potential buyers.

Parcel C and Victoria Crescent are the two properties being sold under a court approved \$6.5 million writ of attachment to settle the Ambac lawsuit, so time is of the essence in order to fulfill the requirements of the court sealed settlement to pay Ambac, as well as to pay Oliver & Company nearly \$2 million secured by Parcel C. The Oliver payment is due by March 31, 2013. Staff is in discussions with Oliver to renegotiate the schedule as well as with other potential lenders to restructure the debt.

MUNICIPAL SERVICES UPDATE

Building Permits:

- Number of permits issued-----7
- Building permit fees collected-----\$3393.76
- Number of inspections-----20
- Code Enforcement inspections-----4

Sewer Lateral Inspection Program:

- Number of application received: 2
- Sewer Lateral Inspection Fees Collected: \$250.00
- Number of Certifications issued: 2
- Number of Deficiency Notices issued: 1
- Number of Condominium Waivers issued: 0

Other Permits:

- Wide Load/Transportation Permits Issued: 0
- Encroachment Permits Issued: 4

Other Activities:

- Staff pruned numerous trees along San Pablo Avenue for traffic visibility.
- Contractor repaired broken window at Senior Center.
- Staff met with representative of firm interested in removing soil from Parcel C & Sycamore Crossings.
- Staff repaired numerous streetlights within the city.
- Staff repaired numerous potholes throughout the city.
- PG&E repaired numerous streetlights.
- Staff continues to work with PGE LED streetlight exchange program in an effort to reduce costs.
- Staff continues to work on the State Revolving Loan Fund Application for Pinole/Hercules Wastewater Treatment Plant Upgrade.
- Staff is working with Caltrans regarding a long-awaited resurfacing project of Willow Ave @ I-80 undercrossing.
- Staff met with EBMUD regarding a leak in their line that crosses the bridge at Hercules Avenue where it crosses the railroad tracks. Structural repairs may need to be done after their repair work is complete.
- Staff met with City of Pinole staff to discuss compliance with the Regional Water Board mandates regarding the Wastewater Treatment Plant.

Library Repair Update:

- 2/5 – 7:30 am to 12:00 pm – Top, skim and sand wallboard joints.
- 2/8 – 7:30 am to 2:00 pm – Sand, touch-up and paint walls and clean-up.
- 2/7 – Re-install cap flashing at wall repair area.
- 2/8 – Perform additional water test.

- 2/11 – 7:30 am to 12:00 pm – Replace sheet rock at areas that had been removed and tape joints. Remove scaffold at building exterior.
Remove scaffold at West elevation.
- 2/12 – 7:30 am to 12:00 pm – Top, skim and sand joints.
- 2/13 – 7:30 am to 2:00 pm – Sand, touch-up and paint walls and clean-up.

PARKS AND RECREATION UPDATES

Currently the Park & Recreation Department offers a wide variety of recreation classes and programs that cater to all ages and help to promote a healthy lifestyle. The classes & programs provide a great opportunity to have fun and exercise while interacting with others in a safe environment. You can go online to www.ci.hercules.ca.us to get more information or to register for classes.

Seniors/50+:

Come to the Senior Center Programs to enjoy: CC Café, Art Class, Card Club, Ping Pong, Tai Chi, Zumba Gold, Low Impact Exercise Classes, Dance Club, and a Hula Dance. Become a Member for \$20.00, your membership gives you access to over 30 classes and programs at a discounted rate.

- Monday 19 in attendance and made \$30 for CC Café and 43 for classes
- Tuesday 21 in attendance and made \$32 CC Café and 18 for classes
- Wednesday 29 in attendance and made \$50 CC Café 35 and for classes
- Thursday 28 in attendance and made \$37 CC Café and 40 for classes
- Friday projected 41 in attendance and made \$70 CC Café and 41 for classes
- 138 participants for CC Café and with a revenue of \$219
- 178 people attended classes and programs with \$177 in classes revenue
- A total of **\$561.08** in revenue for the week (\$165 of which was from the SHARES program through Lucky's)

Licensed Before & After School Child Care

Sign up for Child Care; please make sure to register early so you get your space. For more information please call 245-4803. What are the benefits of our licensed programs?

- Provides a safe and nurturing environment
- Provides qualified and matured staff
- All lead Staff have training in school age programming through accredited colleges
- Provides a 1 staff to 14 ratio, not to exceed 28 children per classroom
- All staff have passed a Livescan/Background check

Hanna site:

AM. Care K-5th: M-17/Tues.-16/Wed.-18/Thurs.-17/Fri.-15

Kinder- 3rd class: M – 22/Tues.-26/Wed.27/Thurs.27.Fri. 22

3rd – 5th class: Mon.-22/Tues.28/Wed.-27.Thurs.-24/Fri.-24

Total K-5th grade Child Care Children Served this week: = 250 (Mon.45/Tues. 54/ Wed.-54/Thur.51/Fri.46)

Tiny Tots Little Leaner's: Tues. 21/Thurs. 21

Tiny Tots Pre-Kinder: Mon. 48/Wed. 48/Fri.46

Total Pre-K & Little Learner Child Care Children Served = 184

Lupine Site:

K-5th AM class: M-12/Tues.12/Wed. 11/Thurs. 13.Fri.10

K-2nd class: M-20/Tues.24/Wed.25/Thurs.25.fri.19

3rd – 5th class: M-13/Tues.15/Wed.17.Thurs.17.Fri.15

Total K-5th grade Child Care Children Served this week: = 190 (M- 33/Tues.-39/Wed. 42/Thurs.42/Fri.34)

Ohlone site:

K-5th AM class: M-12/Tues.12/Wed.-12.Thurs.12/Fri.-12

Kinder-2nd class: M-13/Tues.13/Wed. 16/Thurs.-16/Fri.15

3rd – 5th class: M-18/Tues.-21/Wed.-25/Thurs.-25/Fri.-24

Total K-5th grade Child Care Children Served this week: 186 (M-31/Tues.-34/Wed.-41/Thurs.-41/Fri.-39)

Total Child Care Number three sites: 626 (M-109/Tues.127/Wed.-137/Thurs.-134/Fr.-119)

Child Care and Tiny Tots number per day: 812 (M-157/Tues.-148/Wed.-185/Thurs.-155/Fri.-167)

Aquatics:

- **The Daily Attendance:**

- Week of February 4th – February 8th 2013

- 2/4/13- 73
- 2/5/13- 100
- 2/6/13- 109
- 2/7/13- 108
- 2/8/13- 105

- **Pool Closure Dates:**

- 2/18/13- Monday, President's Day

EBSB Fall Swim has ended and went very well. We are now offering the following programs:

- **EBSB Spring Membership**

- Dates: 2/4/13-5/3/13

- Fees: \$255

- USA Registration fee: Seasonal Swimmer \$55 (made payable to EBSB)

- Code: 52201-O

- Spinners: M-TH, 6:30-7pm, \$66

- Intermediate: M-F, 5-6:15pm, \$83

- Advanced: M-F, 5-6:30/7pm, \$94

- **EBSD Year Round Membership**
 - Dates: 10/1/12-9/31/13
 - USA Registration fee: Year Round Swimmer \$80 (made payable to EBSD)
 - Code: 52200-D-L
 - Spinners: M-TH, 6:30-7pm, \$66
 - Intermediate: M-F, 5-6:15pm, \$83
 - Advanced: M-F, 5-6:30/7pm, \$94

- **EBSD Monthly Swim Clinics**
 - Ages: 5-18
 - Days: M/W/F
 - Fees: \$65
 - Dates: 2/1-2/29 Code: 52202-B
 - Dates: 3/2-3/30 Code: 52202-C
 - Dates: 4/4-4/30 Code: 52202-D

- **Lap Swim/Water Walking: Swim Passes are available!**
 - Ages: 14+
 - Days: M-F
 - Times: 6-7pm (until 4/30 then times will change)
 - Fees: Resident- Youth & Senior \$4/Adults \$5
 - Non-Resident- Youth & Senior \$5/Adults \$6

- **Swim Passes:**
 - 10 Visit Swim Pass Resident- \$40 Adults/\$30 Youth Non-Resident-\$50 Adults/\$40 Youth
 - 25 Visit Swim Pass Resident- \$100 Adults/\$75 Youth Non-Resident- \$125 Adults/\$100 Youth

Programs coming up:

- **Hercules Piranhas**
 - Registration Period: 3/4/13-6/21/13
 - Spring Season (4/30-6/9) Minimum: 21 Swimmers/Summer Season (6/11-8/12) Minimum 85 Swimmers
 - Beginners: Spring Season Hours: M-TH, 6:30-7pm
 - Summer Hours: M-TH, 6:30pm-7:15pm
 - Intermediate: Spring Season Hours: M-F, 5:15-6:30pm
 - Summer Hours: M-F, 7:15-8:45pm
 - Advanced: Spring Season Hours: M-F, 5-7pm
 - Summer Hours: M-F, 7-9pm
 - ❖ 1 Swimmer Registration Fee \$384 Deposit \$200
 - ❖ 2 Swimmers Registration \$673 Deposit \$200
 - ❖ 3 Swimmers Registration \$865 Deposit \$200
 - ❖ 4 Swimmers Registration \$1090 Deposit \$200
 - ❖ 5 Swimmers Registration \$1281 Deposit \$200

(PAYMENT ARRANGEMENTS ARE AVAILABLE UPON REQUEST. Times are subject to change depending on enrollment. No proration's for late enrollment.)

- **Individual Swim Lessons:**

- Ages: 3+
- Days: M/T/TH/F

- Dates: 3/4-3/15 Times: 6-6:30pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-H
- Dates: 3/4-3/15 Times: 6:30-7pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-I
- Dates: 3/4-3/15 Times: 7-7:30pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-J
- Dates: 3/18-3/29 Times: 6-6:30pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-K
- Dates: 3/18-3/29 Times: 6:30-7pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-L
- Dates: 3/18-3/29 Times: 7-7:30pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-M
- Dates: 4/1-4/12 Times: 6-6:30pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-N
- Dates: 4/1-4/12 Times: 6:30-7pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-O
- Dates: 4/1-4/12 Times: 7-7:30pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-P
- Dates: 4/15-4/12 Times: 6-6:30pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-Q
- Dates: 4/15-4/12 Times: 6:30-7pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-R
- Dates: 4/15-4/12 Times: 7-7:30pm Fees: Res-\$150/Non-Res-\$163 Code: 51307-S

- **Aqua Zumba:**

- Ages: 8+
- Dates: 4/3-4/24
- Days: Wednesdays
- Times: 7-8pm
- Fees: \$40/\$52
- Drop-in Fee: \$15/class
- Codes: 51333-J
- Instructor: Nannette Vides

Teens:

Sign up for our SPOT Before and After school program for grades 6th -9th.

- TYC is planning on holding a Ice Cream Social for Valentine's day which will take place at the teen center. We are also in the beginning stages of planning our workshops for the Easter Egg hunt event.
- Total weekly attendance for this week: 99 (Mon 12/ Tues 21 Wed 25 Thurs 23 Fri 18)

Facilities:

Are you looking for a hall to rent to hold a meeting, party, wedding reception, graduation, birthday, retirement or baptisms. Check out our many facilities we have to offer by going online to www.ci.hercules.ca.us or call 799-8291 for more information.

Recreation Classes:

We are now taking registration for many new and exciting classes. Classes include Tutoring, Math Tutoring, Oil Painting, Chinese, Dog Obedience, Ballet, Gymnastics, Belly Dance, Guitar, Karate, Ab Lad, Zumba & Jazzercise. Make sure to register early before they fill up or get canceled for low enrollment.

- Met with National Academy of Athletics to bring them on to offer different camps including, soccer, volleyball, cheerleading, all sport, flag football, baseball and softball.
- Now in the process of compiling the next edition of the Summer activity guide which is set to be released at the end of March.
- Spoke with “Clown Snot Bombs Circus” to see if we could have a fun and exciting circus camp brought to Hercules Parks & Recreation.
- Spoke with an instructor regarding a new class proposal for a kids baking and cooking class.
- Sold all spots for February banners at all locations.

Parks & Recreation Activity Guide & Banner Programs:

We are accepting applications to advertise in the next edition of the Parks and Recreation activity guide which will come out March 2013. For the Banner Program we have a few spots open for February 2013. If you have specific questions feel free to give Andrea Mendez a call at (510) 799-8290 or email amendez@ci.hercules.ca.us.

Sports:

We have started our Co-Ed 10-13 Junior Warriors Elementary Basketball League. The league will run from January through March, 6 days per week with practices being held Monday through Thursday and games on Fridays and Saturdays. We currently have 98 kids enrolled. As a part of the Junior Warriors Basketball League we received discounted tickets and we are selling those tickets to the general public to help raise funds for the Parks & Recreation Sports Department. We have tickets remaining for Monday March 4, 2013 vs the Toronto Raptors. Ticket prices are \$9 per ticket.

We are offering a Fundamentals Basketball Clinic on Tues & Thursdays ages 10 and under. We have 20 kids registered in that program.

Looking into offering the following Adult leagues for this upcoming Spring:

2 Basketball Leagues of 3 on 3 (a 35 & older league and a 6 foot and under league).

Softball Leagues in conjunction with the City of Pinole at Fernandez Park (Mondays & Friday Nights) Golf League at Franklin Canyon (Potentially Wednesday late afternoon). For More Information please call 799-8293.

Tiny Tots & Little Learners:

A great introduction to your child's "First Learning Experiences". They will have fun making their first school friends, learning through play, games, arts, crafts, and healthy snacks. Our loving and qualified staff will guide them with socialization and self-help skills. Children have so much fun, they do not realize they are learning! Our program runs along with the school year from September-June. Come see what keeps our children smiling! Children must be completely toilet trained (no pull-ups).

WEEKLY POLICE REPORT – Week ending February 7, 2013

PUBLIC INTOXICATION: On February 1, 2013, at approximately 1:33 a.m., an Officer contacted a suspicious vehicle, parked on the side of Shell Gas Station, located at 3900 San Pablo Avenue. The driver of the vehicle was found to be intoxicated and unable to care for herself. 36 year old Aiko Bosset was arrested for Public Intoxication and transported out to the Martinez Detention Facility.

Theft: On February 1, 2013, at 2:33pm, an Officer was dispatched to the 100 block of Maritime Terrace. The reporting party said her purse was stolen from her unlocked vehicle, two days ago. The purse contained ID and other personal items.

Auto Burglary: On February 2, 2013, at 8:55am, an Officer was dispatched to the 300 block of Newbury. The reporting party said that between 1:00am, and 7:30am today, someone shattered the passenger side window of his Infinity QX4 and took a backpack from the front seat.

Auto Burglary: On February 2, 2013, at 1:02pm an Officer was dispatched to the 500 block of Mahogany. The reporting party said that between 5:00pm on 2/1/13, and 10:00am 2/2/13, someone entered his locked 1990 Toyota Camry and stole papers, from the center console of his vehicle. There were no signs of forced entry or damage to the Toyota.

Residential Burglary: On February 2, at 9:19 PM Officers were dispatched to an alarm activation in the 100 block of Dockside Bay. Officers entered the house through the garage and saw that the rear family room window had been broken. The resident said he did not believe any property was missing.

Battery: On February 3, at 8:30 PM Hercules Officers were dispatch to the 100 block of Nautical Cove for a physical confrontation between a father and son. Prior to the Officers arrival they were advised that the adult son had left the house on foot. The father stated he and his son had an argument and his son got very angry. The son punched the father in the mouth causing his lip to split. The father went to the hospital to get stitches. The son was not located.

Possession Of a Controlled Substance: On February 4, 2013 at 1:27 AM an Officer stopped a Ford Expedition a traffic violations. The vehicle registration had been expired for over a year. The Officer did an inventory search of the vehicle, and its contents, prior to towing the vehicle for the expired registration. The Officer found a controlled a substance in the coat pocket of the right front passenger, which had been left in the car. 31 year old Tina Brookhamer was arrested for Possession of a Controlled Substance. After she was arrested an additional amount of a controlled

substance was located on Bookhamer's person. Brookhamer was transported to the Martinez Detention Facility.

Unauthorized Use of an Access Card: On February 4, 2013, at about 9:48 am, an Officer contacted a resident from the 300 block of Grenadine Way for a telephone report. The reporting party stated that someone made an unauthorized charge, on her Visa credit card, at a store in West Covina.

Fight on High School Campus: On February 4, 2013, at about 2:28 pm, the School Resource Officer, and other patrol Officers, responded to a report of a physical fight in the "old quad" area of the high school. Upon arrival the involved parties were separated and identified. This case is still under investigation.

Possession of a Controlled Substance: On February 4, 2013, at about 6:04 pm, an officer was fueling his vehicle when a vehicle passed by with an obvious odor of burnt marijuana coming from within the vehicle. The Officer asked the driver if he could speak with him and the driver voluntarily stopped the vehicle and spoke to the Officer. There were three adults and one juvenile in the vehicle. The driver stated they smoked marijuana in the vehicle earlier and there was more marijuana in the vehicle. A contraband search was conducted and the Officer located approximately 75 pills, believed to be a controlled substance, on the left rear passenger seat. A 44 year old male admitted the pills were his. The male was arrested for Possession of a Controlled Substance and was transported to the Hercules Police Department for booking. He was later released, pending further investigation.

Commercial Burglary, Possession of a Stolen Check, and Forgery: On February 5, 2013, at 11:29AM, Hercules Officers were dispatched to Wells Fargo bank, in the 1500 block of Sycamore Ave, for a fraud in progress. The reporting party advised an adult male was attempting to cash a stolen check. When the first Officer arrived he observed a gray Chevrolet, with three occupants, parked in front of the bank. A female driver appeared to be acting as a look out and tried to leave the area when Officers arrived. An Officer contacted the occupants of the vehicle and learned the driver was waiting for her friend, who was inside the bank cashing a check. Officers contacted the male in question and determined the check, he was trying to cash, had been stolen during a commercial burglary in San Jose, CA. 24 year old Sedric Mitchell, of Rodeo, was arrested for Commercial Burglary, Forgery and Possession of Stolen Property. He was transported him to the Martinez Detention Facility. The occupants of the vehicle were released pending further investigation.

Battery (Road Rage): On February 5, 2013, at 2:467pm, Hercules Officers were dispatched to the area of Sycamore Ave @ San Pablo Ave. for a physical fight. The reporting party was contacted in the parking lot of the Shell station. She stated she was stopped for a red light at Sycamore Ave @ San Pablo Ave. when a white Mercedes SUV tried to merge into her lane. The Mercedes reportedly blocked traffic and other vehicles began honking at it. The reporting party said the driver of the Mercedes thought she was the one honking and approached the reporting party's driver's side window on foot. The suspect punched the reporting party in the face one time. The reporting party said she defended herself by hitting the suspect in the face. The suspect fled the area. The investigation is continuing.

Possession of Marijuana on School Grounds: On February 5, at 3:15pm, the School Resource Officer, for Hercules Middle High School, was summoned to the High School office for a student who was found with Marijuana. School officials found the Marijuana when a student was contacted for the investigation lighting fireworks. The student was cited and released to a parent.

Petty Theft and Unauthorized use of Access Cards: On February 5, 2013, at 4:31pm an Officer contacted a Hercules resident concerning the theft of her wallet, and fraudulent use of her credit cards. The reporting party said on February 4, 2013 she went to the Bank of America. Later she discovered she left her wallet at the bank and returned to look for it but did not find it. On February 5, 2013 the reporting party began calling her credit card holders to cancel the accounts and learned there was fraudulent activity on several of her accounts.

Identity Theft: On February 6, 2013, 11:11am an Officer retrieved this online report from BobCop. The reporting party, who lives in the 1000 block of Rock Harbor Point, reported that his social security number was fraudulently used by an unknown person, who used it to report income to the Franchise Tax Board for the 2011 tax year.